

RESOLUTION OF THE MAYOR AND THE CITY COUNCIL OF THE CITY OF HIALEAH, FLORIDA, CREATING A PROPERTY ASSESSED CLEAN ENERGY (PACE) PROGRAM AND AGREEING TO JOIN THE GREEN CORRIDOR PACE DISTRICT; ADOPTING AN INTERLOCAL AGREEMENT RELATING TO THE CORRIDOR; PROVIDING FOR AUTHORIZATION; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, in 2010, the Florida Legislature adopted HB 7179 (Section 163.08 F.S.) (the "Bill), which allows local governments to create Property Assessed Clean Energy (PACE) programs in order to provide the upfront financing for energy conservation and efficiency (e.g. energy-efficient heating, cooling, or ventilation systems), renewable energy (e.g. solar panels), and wind resistance (e.g. impact resistant windows) improvements (the "Qualifying Improvements"); and

WHEREAS, PACE programs assist residents and business owners in reducing their carbon footprint and energy costs and stimulate the local economy by creating construction jobs; and

WHEREAS, the Bill authorizes local governments that create PACE programs to enter into a partnership in order to provide more affordable financing for the installation of the Qualifying Improvements; and

WHEREAS, on August 6, 2012, the City of Miami, City of Coral Gables, Village of Pinecrest, Town of Cutler Bay, Village of Palmetto Bay, City of South Miami, and Miami Shores Village created the Green Corridor PACE District in order to provide up-front financing to property owners with Qualifying Improvements; and

WHEREAS, given the widespread energy and economic benefits of PACE programs, the City of Hialeah desires to join its sister cities in the Green Corridor PACE District and enter into the Amended and Restated Interlocal Agreement attached hereto as Exhibit "A" (the "Interlocal Agreement"); and

WHEREAS, the Mayor and the City Council finds that this Resolution is in the best interest and welfare of the citizens of the City of Hialeah.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF HIALEAH, FLORIDA, THAT:

Section 1. Recitals. The foregoing recitals are true and correct and are adopted and incorporated by reference as if fully set forth herein.

Section 2. Creation of PACE Program and Joining the Green Corridor PACE District. The Mayor and the City Council of the City of Hialeah, Florida hereby authorize the creation of a PACE program and agree to join the Green Corridor PACE District and enter into the Interlocal Agreement attached hereto as Exhibit "A."

Section 3. Adoption of Interlocal Agreement. The Mayor and the City Council hereby approve an interlocal agreement pursuant to Section 163.01, Florida Statutes, between the municipalities of the Clean Energy PACE District in substantially the form attached hereto as Exhibit "A". (the "Interlocal Agreement").

Section 4. Authorization of City Officials. The City of Hialeah, Florida hereby authorizes the Mayor and the City Clerk, as attesting witness, on behalf of the City, to take all steps necessary to implement the terms and conditions of this resolution and to execute the Interlocal Agreement attached hereto as Exhibit "A."

Section 5. Direction to City Clerk. The City Clerk is directed to send a certified copy of this Resolution to the Green Corridor PACE District's attorney, Chad Friedman, Esq., and Third Party Administrator, Ygrene Energy Fund, Florida, LLC.

Section 6. Effective Date. This resolution shall become effective upon signature of the Mayor of the City of Hialeah, Florida or at the next regularly scheduled City Council meeting, if the Mayor's signature is withheld or if the City Council overrides the Mayor's veto.

PASSED AND ADOPTED this 23 day of June, 2015.

Isis Garcia-Martinez
Council President

Attest:

Approved on the 30 day of June, 2015.

Marbelys Fatjo, City Clerk

Mayor Carlos Hernandez

Approved as to legal sufficiency and form:

Lorena E. Bravo, City Attorney

K.C.

Resolution was adopted by a (7-0) unanimous vote with Councilmembers, Caragol, Casáls-Muñoz, Cue-Fuente, Garcia-Martinez, Gonzalez, Hernandez and Lozano voting "Yes".